
Public Notice

Applicant:

Pulte Homes of Ohio Corporation

Date:

Published: April 17, 2003

Expires: May 16, 2003

**U.S. Army Corps
of Engineers****In Reply Refer To:****Buffalo District CELRB-TD-R RE: 2002-00092(1) Section: OH 404**

Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).

Pulte Homes Corporation, c/o Robert Izer, 30575 Bainbridge Road, Suite 150, Solon, Ohio, 44139, has requested a Department of the Army permit to fill approximately 0.71 acre of federal wetlands and culvert approximately 100 linear feet of intermittent tributary during the construction of an additional section of the Southbury Place, a residential subdivision. The project is located east of Marks Road and north of State Route 303, in Brunswick Hills Township, Medina County, Ohio.

The additional 35-acre Southbury site contains 8 wetlands totalling 3.88 acres and approximately 1,373 linear feet of intermittent tributaries. The wetland delineation was verified on November 15, 2002. Approximately 3.865 acres of wetlands (Wetlands DDa, EE, FF, V, W, and Y) are adjacent to or contiguous with a tributary system to the West Branch of the Rocky River and are therefore subject to regulation by the Department of the Army.

This proposed development is part of a large subdivision complex which includes Westbury Place, Eastbury Place, and the original Southbury Place. At Westbury Place (D.A. No. 2001-01053), federal wetland impacts of approximately 0.152 acre were authorized under Nationwide Permit (NWP) #14 with on-site mitigation of approximately 0.41 acre of wetland creation. At Eastbury Place (D.A. No. 2002-01479), federal wetlands impacts of approximately 0.056 acre were permitted under NWP #39. At the original Southbury Place (D.A. No. 2000-00092), federal wetland impacts of approximately 0.42 acre were permitted under NWP #39 with the off-site mitigation purchase of one credit at the North Coast Regional Mitigation Bank.

Due to highway safety requirements, the original Southbury layout has been redesigned to eliminate access from State Route 303. The amended Southbury layout incorporates both the original property and the additional acreage associated with the present proposal and contains access roads from both Eastbury Place and Westbury Place.

The proposed fills and culverting are associated with the construction of residential homes, garages, and driveways, as well as roadways, utilities, stormwater detention, and landscaping. The culverting of the unnamed tributary is authorizable under Nationwide Permit No. 39.

As mitigation for the federal wetlands impacts, the applicant proposes to purchase 1.5 acres of credit at the Hale Road site of the North Coast Regional Mitigation Bank.

The stated purpose of the project is to construct a conservation development community in which 40% of the total land area (159 acres) of the entire subdivision complex will be preserved in its natural state.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Elizabeth W. Stone, who can be contacted by calling (716) 879-4363, or by e-mail at: elizabeth.w.stone@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207 3199, and should be marked to the attention of Elizabeth W. Stone, or by e-mail at: elizabeth.w.stone@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

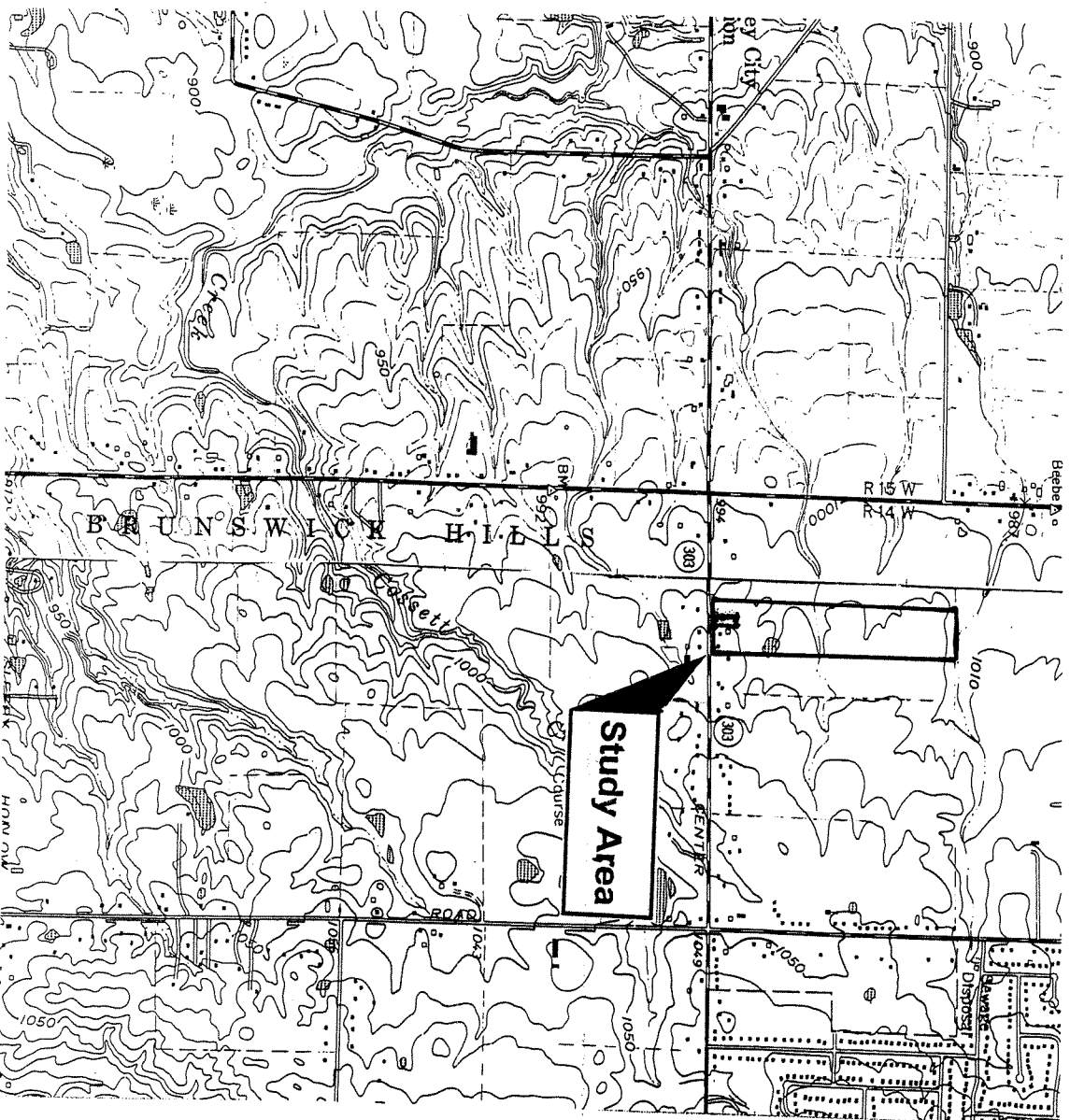
NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

Appendix C
Location of Study Area on
USGS 7.5-Minute Topographic Maps
(Mallet Creek and Medina Quadrangles)




Site: Ohio 303, Brunswick Hills Township,
Medina County, Ohio

Scale: 1" = 2,000'



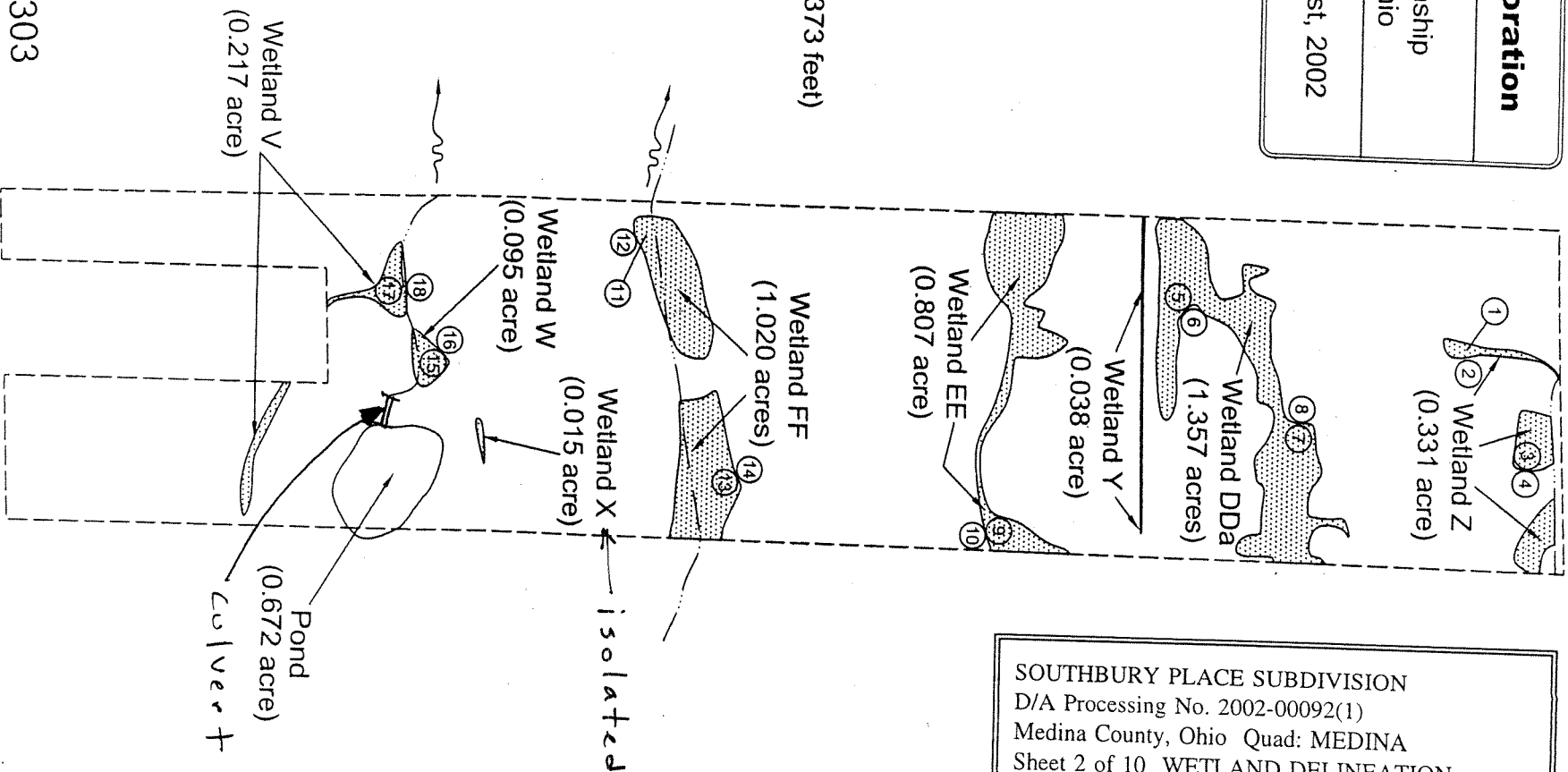
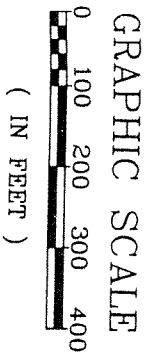
Appendix K

Wetlands Boundaries, Acres, and Sample Point Locations

Prepared for	
Pulte Homes Corporation	
Ohio 303	
Brunswick Hills Township	
Medina County, Ohio	
Prepared by	August, 2002
 <small>A Division of The Davey Tree Expert Company</small>	

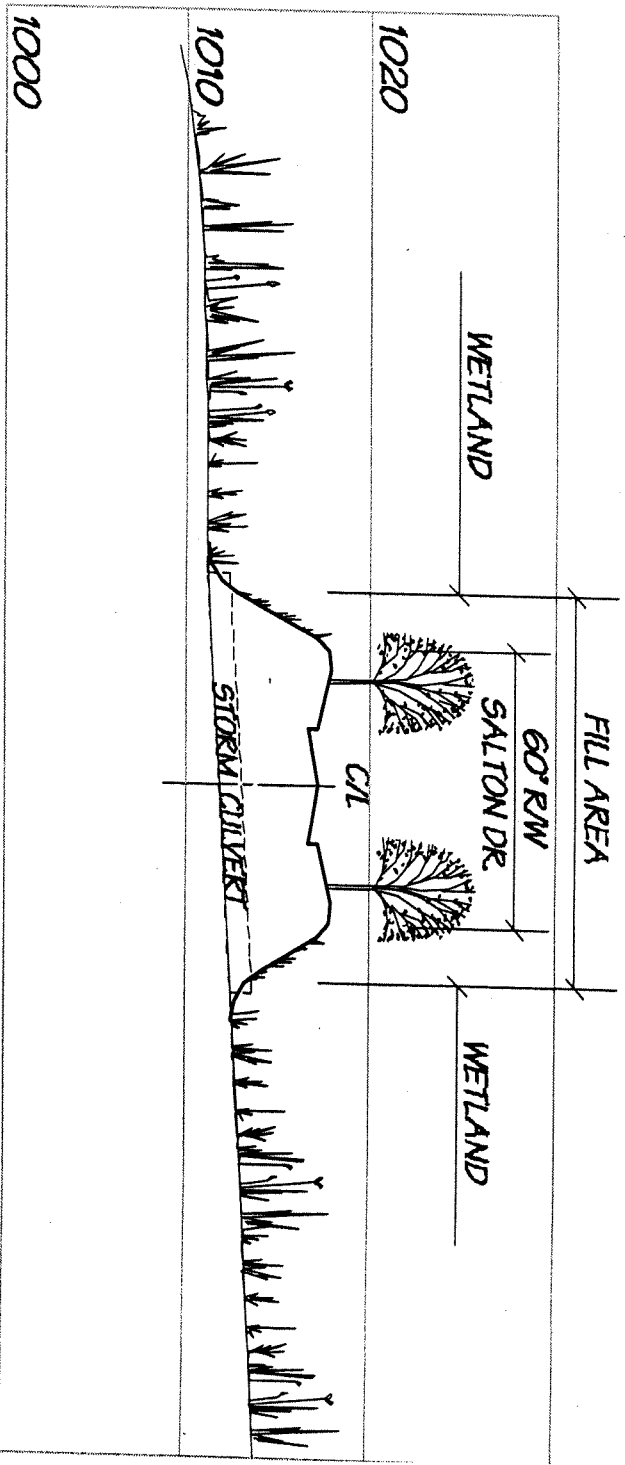
SOUTHBURY PLACE SUBDIVISION
D/A Processing No. 2002-00092(1)
Medina County, Ohio Quad: MEDINA
Sheet 2 of 10 WETLAND DELINEATION

- = Study area
- = STREAM (1,373 feet)
- ~ = Direction of flow
- ① = Sample point location



Marks Road

Ohio 303

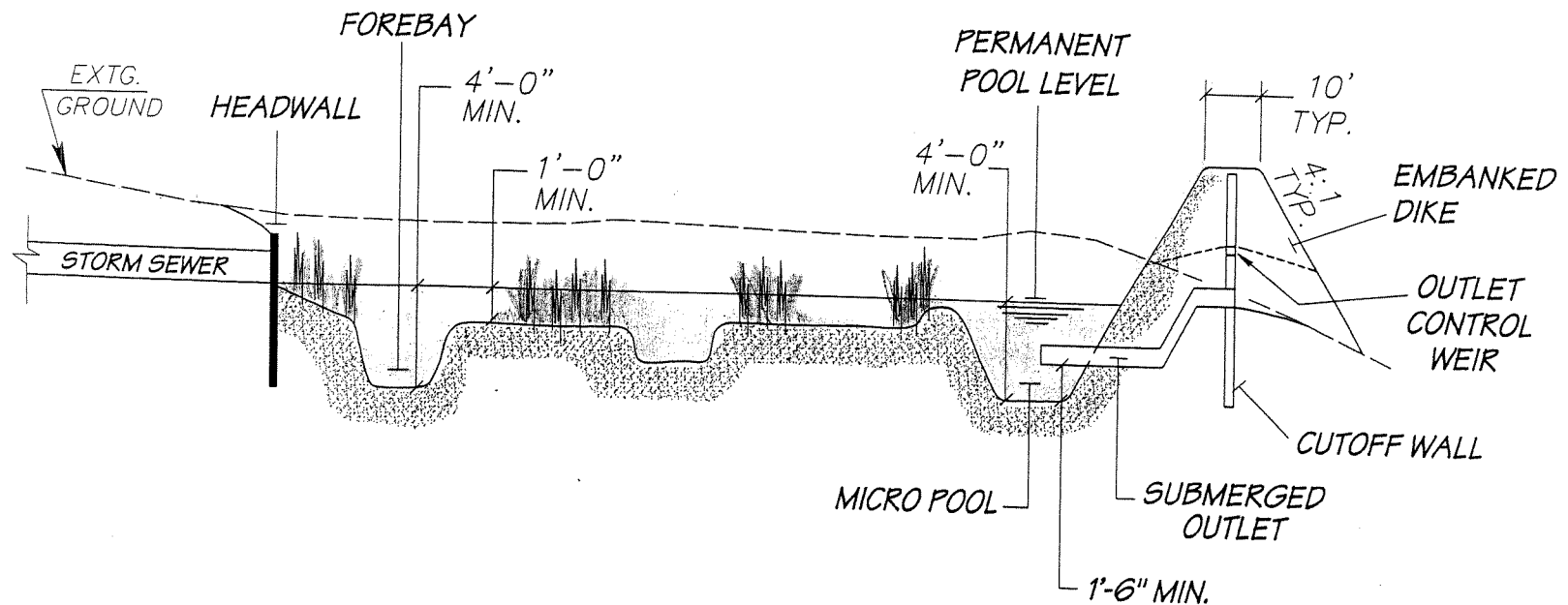


HORZ. SCALE: 1"=50'
VERT. SCALE: 1"=10'

SECTION "A-A"
SOUTHBURY PLACE
(CZECH - DOYLE PARCELS)
BRUNSWICK HILLS TWP.
MEDINA COUNTY, OHIO

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SOUTHBURY PLACE SUBDIVISION
D/A Processing No. 2002-00092(1)
Medina County, Ohio Quad: MEDINA
Sheet 4 of 10 SALTON DRIVE IMPACT



SOUTHBURY PLACE SUBDIVISION
 D/A Processing No. 2002-00092(1)
 Medina County, Ohio Quad: MEDINA
 Sheet 5 of 10 STORMWATER AREA TYP.

TYPICAL SECTION
 STORM WATER MANAGEMENT AREAS
 SOUTHBURY PLACE
 CZECH/DOYLE PARCELS
 BRUNSWICK HILLS TWP., MEDINA COUNTY, OHIO
 N.T.S.

SOUTHBURY PLACE SUBDIVISION
 D/A Processing No. 2002-00092(1)
 Medina County, Ohio Quad: MEDINA
 Sheet 6 of 10 EXHIBIT A

5' WIDE x 140' LONG x 6" THICK
 ROCK CHANNEL PROTECTION
 TYPE "C" W/ FILTER

(CP)

8' (ER)

16' (ER)

(SEE SHEET 18)

EXTG. POND
 N.W.E.
 1016.0

EXTG. 24" CORR. ST. OUTLET
 TO BE REMOVED & SLOT TO
 BE EMBANKED WITH
 COMPACTED CLAY

END PIPE
 N 2441.08
 E 11724.25

CB-5
 N 2417.47
 E 11715.11

45° BEND
 N 2410.78
 E 11717.75

ST. WH.
 N 2407.89
 E 11713.01

FULL HDWL.
 N 2387.82
 E 11702.31

END PIPE
 N 2302.93
 E 11701.30

N.W.E.
 1012.0

DISCHARGE
 CONTROL
 STRUCTURE

PROPERTY
 CORNER
 N 2403.73
 E 11585.21

N 00°02'00"E

N

19.67
 F.F. 23.33

99

21.33
 F.F. 27.0

65

65

SOUTHBURY PLACE
 CZECH/DOYLE PARCELS
 STORM WATER
 MANAGEMENT AREA
 EXHIBIT "A"

BRUNSWICK HILLS TWP.,
 MEDINA COUNTY, OHIO

19.67
 F.F. 23.33

62

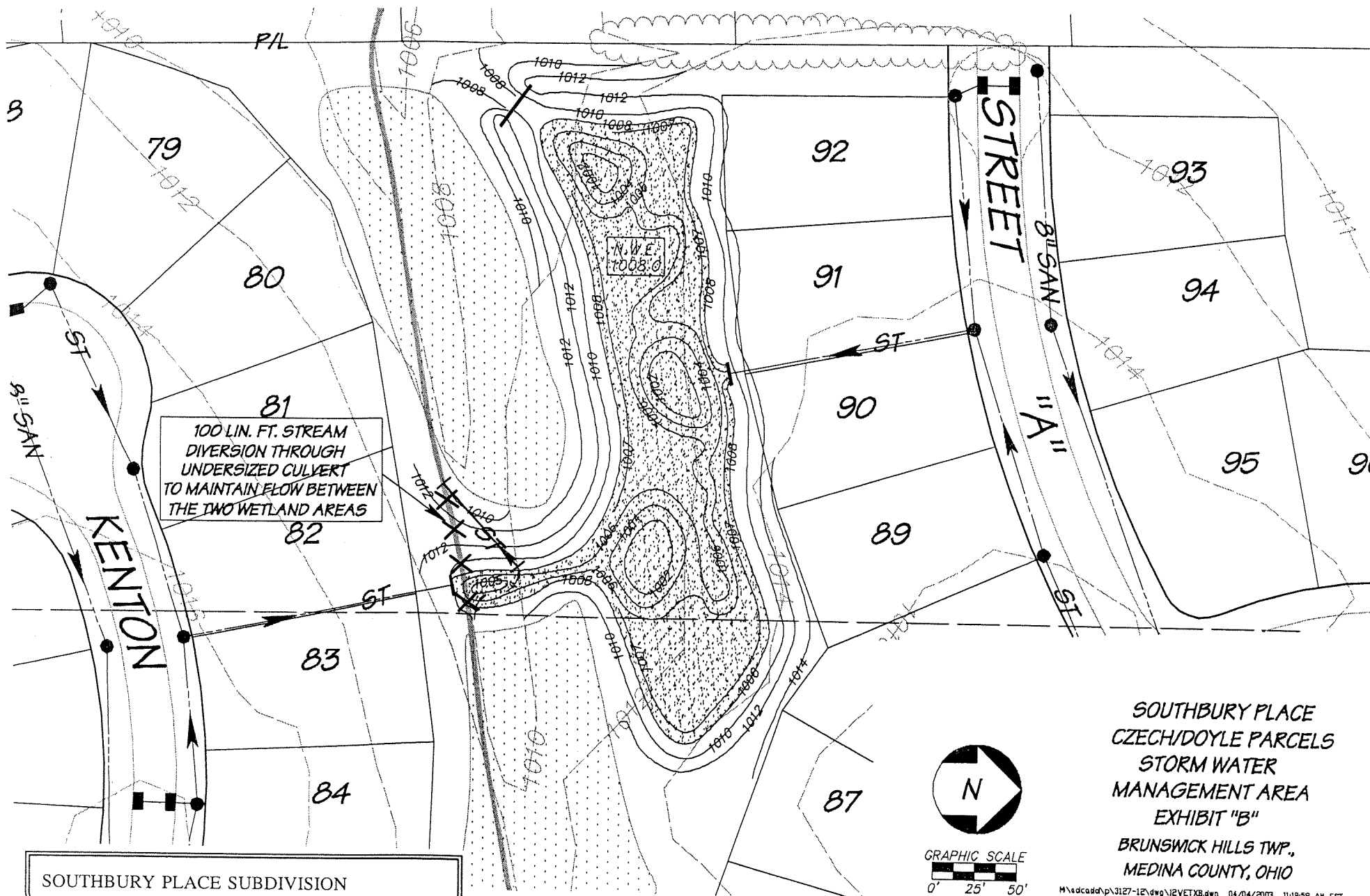
19.67
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63

22.33
 F.F. 28.0

64

65



SOUTHBURY PLACE SUBDIVISION
D/A Processing No. 2002-00092(1)
Medina County, Ohio Quad: MEDINA
Sheet 7 of 10 EXHIBIT B



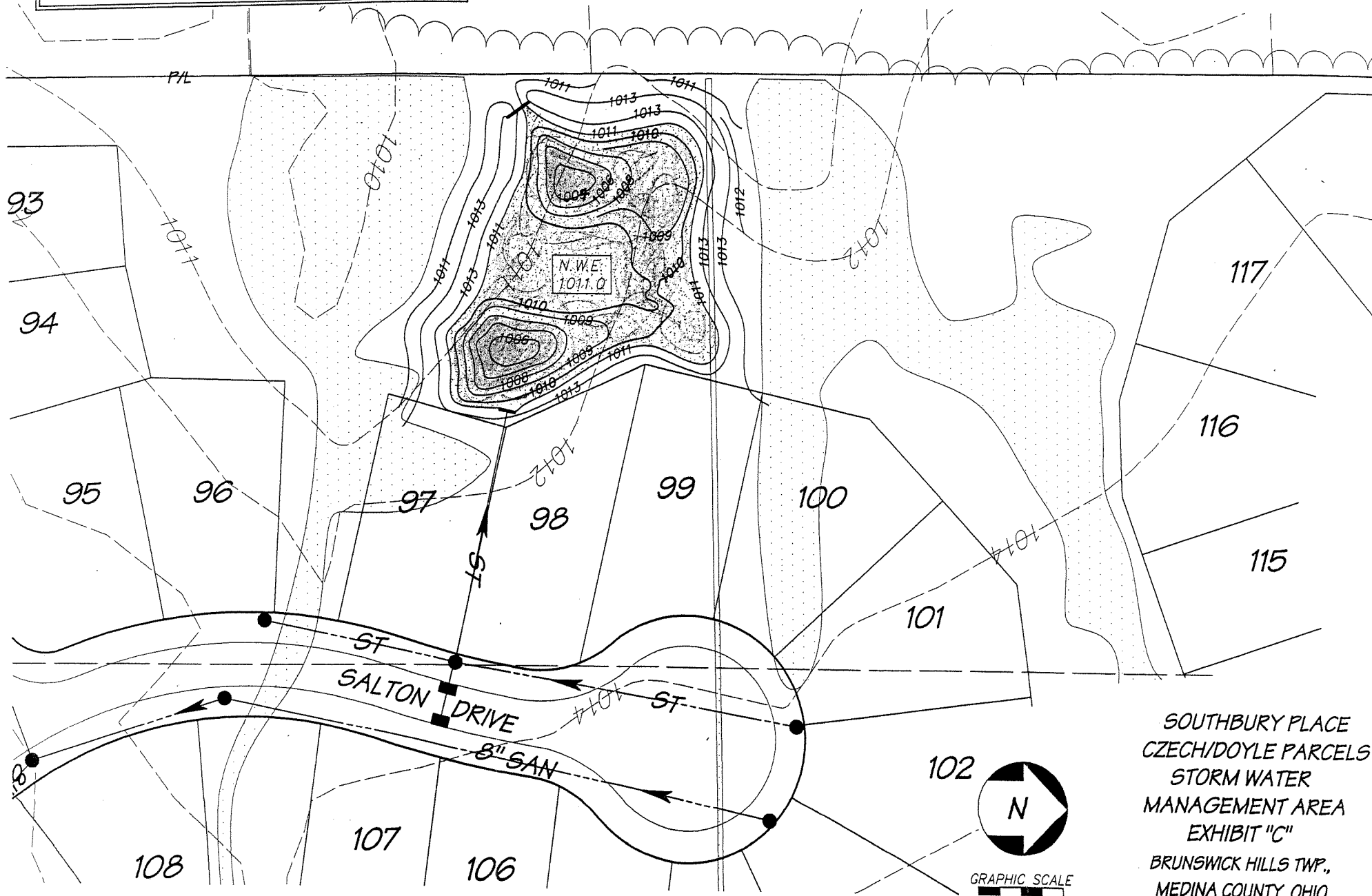
GRAPHIC SCALE
0' 25' 50'

SOUTHBURY PLACE
CZECH/DOYLE PARCELS
STORM WATER
MANAGEMENT AREA
EXHIBIT "B"

BRUNSWICK HILLS TWP.,
MEDINA COUNTY, OHIO

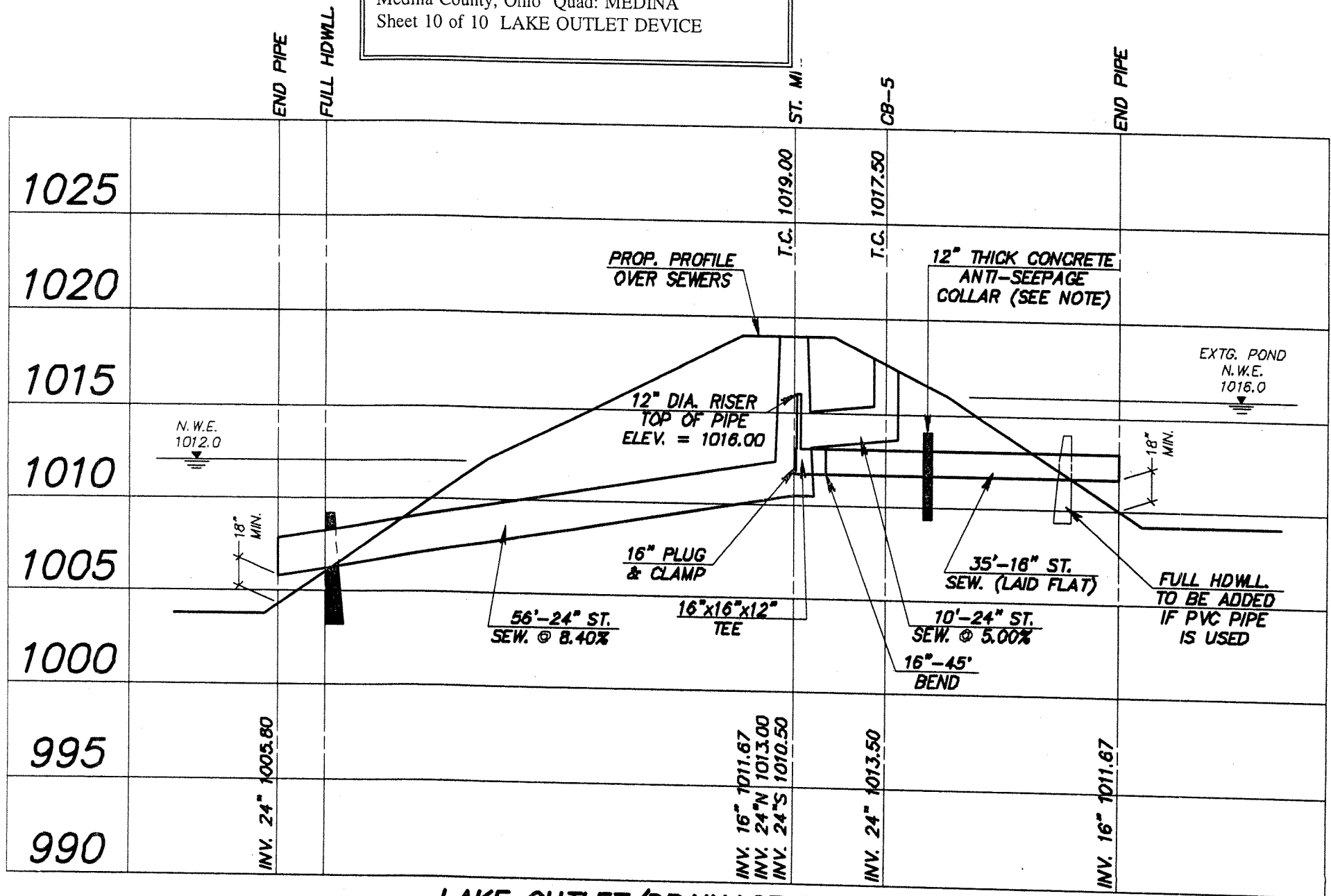
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SOUTHBURY PLACE SUBDIVISION
D/A Processing No. 2002-00092(1)
Medina County, Ohio Quad: MEDINA
Sheet 8 of 10 EXHIBIT C



SOUTHBURY PLACE
CZECH/DOYLE PARCELS
STORM WATER
MANAGEMENT AREA
EXHIBIT "C"
BRUNSWICK HILLS TWP.,
MEDINA COUNTY, OHIO

SOUTHBURY PLACE SUBDIVISION
D/A Processing No. 2002-00092(1)
Medina County, Ohio Quad: MEDINA
Sheet 10 of 10 LAKE OUTLET DEVICE



LAKE OUTLET/DRAINAGE DEVICE

HORZ. SCALE: 1" = 10'
VERT. SCALE: 1" = 5'